

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,

Case No. 24-cr-34 (PJS/TNL)

Plaintiff,

v.

**SECOND AMENDED  
ARRAIGNMENT NOTICE AND  
SCHEDULING ORDER**

Kamau Evans,

Defendant.

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This matter comes before the Court on the Government's Motion to Continue Motions Hearing, ECF No. 16. The Government represents that the parties are working towards resolving this matter and an additional continuance will help facilitate a resolution. *Id.* at 1. Thus, the Government requests a 30-day extension of the pretrial motions filing deadline and the motions hearing. *Id.* The Court will also continue the arraignment which is also scheduled for the same time as the motions hearing. *See* ECF No. 15. The Government requests for the period of continuance to be excluded from computation under the Speedy Trial Act. *See* ECF No. 16 at 1-2. Defendant Kamau Evans has no objection to the requested continuance. *Id.* at 2.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Government's Motion to Continue Motions Hearing, ECF No. 16, is **GRANTED**.

2. The period of time from **the date of this Order through June 12, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. An arraignment hearing will be held before Magistrate Judge Tony N. Leung on **July 8, 2024, at 9:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

4. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **June 12, 2024**. *See* D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

5. **Counsel must electronically file a letter on or before June 12, 2024, if no motions will be filed and there is no need for hearing.**

6. All responses to motions must be filed by **June 26, 2024**. *See* D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses must be filed by **June 26, 2024**. *See* D. Minn. LR. 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses must be filed by **July 1, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

10. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **July 8, 2024, at 9:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

11. **If no motions are filed, Chief Judge Schiltz will issue a trial order scheduling the case for trial and setting additional pretrial deadlines.**

Dated: May 15, 2024

*s/ Tony N. Leung*  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*United States v. Evans*  
Case No. 24-cr-34 (PJS/TNL)